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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/606,234	06/26/2003	Toshimitsu Kawase	03500.017353	4223
5514	7590	10/05/2005	EXAMINER	
FITZPATRICK CELLA HARPER & SCINTO 30 ROCKEFELLER PLAZA NEW YORK, NY 10112			RIELLEY, ELIZABETH A	
			ART UNIT	PAPER NUMBER
			2879	

DATE MAILED: 10/05/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>
	10/606,234	KAWASE, TOSHIMITSU
	<b>Examiner</b>	<b>Art Unit</b>
	Elizabeth A. Rielley	2879

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) Responsive to communication(s) filed on 19 July 2005.
- 2a) This action is FINAL.                    2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) Claim(s) 1-11 is/are pending in the application.
  - 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) Claim(s) \_\_\_\_\_ is/are allowed.
- 6) Claim(s) 1-11 is/are rejected.
- 7) Claim(s) \_\_\_\_\_ is/are objected to.
- 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on 19 July 2005 is/are: a) accepted or b) objected to by the Examiner.
 

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) All    b) Some \* c) None of:
    1. Certified copies of the priority documents have been received.
    2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |   |   |
|---|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)                     |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                      | Paper No(s)/Mail Date. _____ .  |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date. _____ . | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
|   | 6) <input type="checkbox"/> Other: _____ .                                  |

**DETAILED ACTION**

*Response to Amendment*

Amendment filed 7/19/05 has been entered and considered by the Examiner. Currently, claims 1-11 are pending in the instant application.

*Claim Rejections - 35 USC § 102*

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-11 are rejected under 35 U.S.C. 102(b) as being anticipated by Kawase (JP 2000-260359).

In regard to claims 1, 3 and 5, Kawase ('359) teaches an image display apparatus comprising: a hermetic container (paragraph 26) including, as constructive members, a first substrate (1; figure 9b) and a second substrate (900) opposite to each other (figure 9b), and an external frame (4) disposed between said first substrate and said second substrate; and image display means (12) disposed within said hermetic container (figure 9b), wherein a conductive bonding member [201; paragraph 21 states this is a glass frit, however, paragraph 42 states that the glass frit sealing member was mixed with a paste, however the only

paste mentioned is the Ag paste (see paragraph 41); therefore the glass frit is conductive] for sealing both of said first (1) and second substrates (900) and said external frame (4) is disposed between one of said first substrate and said second substrate and said external frame (figure 9b), and an electric potential of said conductive bonding member is specified (paragraphs 8 and 57).

In regard to claims 2 and 4, Kawase ('359) teaches conductive bonding member (201) extends from a sealing area onto the surface of one of said first substrate (1) and said second (900) substrate outwardly of said hermetic container (see figure 9b; layer 201 overlaps frame 4 outwardly of the airtight seal between substrates 1 and 900).

In regard to claim 6, Kawase ('359) teaches an image display apparatus comprising: first (1; figure 9b) and second (900; paragraph 62) substrates opposite to each other (see figure 9b); an external frame (4) positioned between said first substrate and said second substrate (figure 9b); a first conductive member [201; paragraph 21 states this is a glass frit, however, paragraph 42 states that the glass frit sealing member was mixed with a paste, however the only paste mentioned is the Ag paste (see paragraph 41); therefore the glass frit is conductive] positioned between said external frame (4) and said first substrate (1); and a second conductive member (3a) positioned on a surface other than a surface (which will hereinafter be called an opposite surface), opposite to said first substrate, of said external frame and connected to said first conductive member (figure 9b), wherein an electric potential of said first conductive member is specified (paragraphs 8 and 57) with said second conductive member (3a) serving as an electric path (paragraph 21)

In regard to claims 7 and 8, Kawase ('359) teaches that the first conductive member (201) bonds the external frame to the first substrate and a hermetic seal is made (paragraph 5), and the second

conductive member (3a) is conductive to an electrode (100; figure 5) provided on the second substrate layer (paragraphs 21-27).

In regard to claim 9, Kawase ('359) teaches a first substrate (900) is a substrate positioned closer to a user side than said second substrate ("face plate" paragraph 62).

In regard to claim 10, Kawase ('359) teaches a second substrate (2) is a substrate on which a plurality of wires (103; figure 6) for driving display elements is distributed (paragraphs 23-27).

In regard to claim 11, Kawase ('359) teaches one of said first substrate and said second substrate is a plate of which an outer shape is substantially rectangular (figure 9a), said external frame (4) is provided along this rectangular shape or provided substantially along such a shape that the rectangular shape is reduced inwards (figure 9b), and said second conductive member (3a) is positioned on the surface other than the opposite surface at a corner portion of the rectangular shape (figure 9b).

*Claim Rejections - 35 USC § 103*

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

- (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-11 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kawase (JP 2000-260359) Umetsu (US 6690032).

In regard to claims 1, 3 and 5, Kawase ('359) teaches an image display apparatus comprising: a hermetic container (paragraph 26) including, as constructive members, a first substrate (1; figure 9b) and a second substrate (900) opposite to each other (figure 9b), and an external frame (4) disposed between said first substrate and said second substrate; and image display means (12) disposed within said hermetic container (figure 9b), wherein a bonding for sealing both of said first (1) and second substrates (900) and said external frame (4) is disposed between one of said first substrate and said second substrate and said external frame (figure 9b), and an electric potential of said conductive bonding member is specified (paragraphs 8 and 57). Kawase ('359) is not clear whether the bonding material may be considered conductive or not. Umetsu ('032) teaches of a conductive epoxy member that functions as a bonding member (column 3 lines 3-5) in order to manufacture a display device capable of miniaturization. Hence, it would have been obvious at the time of the invention to one of ordinary skill in the art to combine the image display apparatus of Kawase ('359) with the epoxy member of Umetsu ('032). Motivation to combine would be to manufacture a display device capable of miniaturization.

In regard to claims 2 and 4, Kawase ('359) teaches conductive bonding member (201) extends from a sealing area onto the surface of one of said first substrate (1) and said second (900) substrate outwardly of said hermetic container (see figure 9b; layer 201 overlaps frame 4 outwardly of the airtight seal between substrates 1 and 900).

In regard to claim 6, Kawase ('359) teaches an image display apparatus comprising: first (1; figure 9b) and second (900; paragraph 62) substrates opposite to each other (see figure 9b); an external

frame (4) positioned between said first substrate and said second substrate (figure 9b); a first conductive member [201; paragraph 21 states this is a glass frit, however, paragraph 42 states that the glass frit sealing member was mixed with a paste, however the only paste mentioned is the Ag paste (see paragraph 41); therefore the glass frit is conductive] positioned between said external frame (4) and said first substrate (1); and a second conductive member (3a) positioned on a surface other than a surface (which will hereinafter be called an opposite surface), opposite to said first substrate, of said external frame and connected to said first conductive member (figure 9b), wherein an electric potential of said first conductive member is specified (paragraphs 8 and 57) with said second conductive member (3a) serving as an electric path (paragraph 21)

In regard to claims 7 and 8, Kawase ('359) teaches that the first conductive member (201) bonds the external frame to the first substrate and a hermetic seal is made (paragraph 5), and the second conductive member (3a) is conductive to an electrode (100; figure 5) provided on the second substrate layer (paragraphs 21-27).

In regard to claim 9, Kawase ('359) teaches a first substrate (900) is a substrate positioned closer to a user side than said second substrate ("face plate" paragraph 62).

In regard to claim 10, Kawase ('359) teaches a second substrate (2) is a substrate on which a plurality of wires (103; figure 6) for driving display elements is distributed (paragraphs 23-27).

In regard to claim 11, Kawase ('359) teaches one of said first substrate and said second substrate is a plate of which an outer shape is substantially rectangular (figure 9a), said external frame (4) is provided along this rectangular shape or provided substantially along such a shape that the rectangular

shape is reduced inwards (figure 9b), and said second conductive member (3a) is positioned on the surface other than the opposite surface at a corner portion of the rectangular shape (figure 9b).

*Response to Arguments*

Applicant's arguments filed 7/19/05 have been fully considered but they are not persuasive. The Applicant argues that Kawase ('359) fails to disclose a conductive bonding member for sealing the first and second substrates. The Examiner respectfully disagrees. Kawase ('359), as the Applicant states in the Arguments filed 7/19/05, teaches a conductive paste used to form the wirings 3a and 3b. The wirings, as stated in paragraph 42, are used as part of the bonding material that combines both substrates to form a light-emitting device. Hence, Kawase teaches a bonding material (both the glass frit and the conductive wirings) to attach both substrates together.

*Conclusion*

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Elizabeth A. Rielley whose telephone number is 571-272-2117. The examiner can normally be reached on Monday - Friday 7:30 - 4:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nimeshkumar Patel can be reached on 571-272-2457. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

*Elizabeth Rielley*  
**Elizabeth Rielley**

*Examiner*  
**Art Unit 2879**

*WSly 10/3/05*  
**MARICELI SANTIAGO**  
**PRIMARY EXAMINER**